

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-2(c)**

Law Offices of Andy Winchell  
332 Springfield Avenue, Suite 203  
Summit, New Jersey 07901  
Telephone No. (973) 457-4710  
andy@winchlaw.com  
By: Andy Winchell [AW-6590]  
Attorney for the Debtors

In Re:

Robert Maxwell Simon  
Stacey Helene Simon

Case No.: 10-50052 (KCF)  
Chapter: 7

Hearing Date: March 14, 2011 10:00 a.m.

**NOTICE OF MOTION TO QUASH RULE 2004 SUBPOENA**

**PLEASE TAKE NOTICE** that on March 14, 2011 at 10:00 o'clock a.m., or as soon thereafter as counsel may be heard, Debtor Robert Simon ("Movant"), through counsel, shall move before the Honorable Kathryn C. Ferguson, U.S.B.J., at the United States Bankruptcy Court, 402 East State Street, Trenton, New Jersey pursuant to Local Bankruptcy Rule 2004-1(d) for the entry of an Order quashing a subpoena dated January 28, 2011 issued by Weinstein & Riley, P.S. on behalf of FIA Card Services N.A. under F.R. Bankr. P. 2004 to the Debtor.

**PLEASE TAKE FURTHER NOTICE** that any opposition to the Motion must be in writing and filed with the Clerk of the Court, with a copy served upon Movant's counsel, whose name and address are set forth above, within the time required by the rules governing the Court.

**PLEASE TAKE FURTHER NOTICE** that if written opposition is not timely filed and served, this Motion shall be deemed uncontested and the relief requested may be granted without the need for a hearing.

**PLEASE TAKE FURTHER NOTICE** that in support of the Motion, Movant shall rely upon the annexed brief, a copy of which is filed and served herewith.

Dated this the 18th day of February, 2011.

/s/ Andy Winchell  
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Summit, New Jersey 07901  
973-457-4710  
andy@winchlaw.com  
Attorney for the Debtors